

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Oct 17, 2024**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: David James Eric Mosney Case Number: 0980 2:11CR02087-EFS-1  
 Address of Offender: [REDACTED] Kennewick, Washington 99336  
 Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge  
 Date of Original Sentence: October 17, 2012  
 Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)  
 Original Sentence: Prison - 108 months Type of Supervision: Supervised Release  
 TSR - 36 months  
 Asst. U.S. Attorney: Laurel Holland Date Supervision Commenced: June 7, 2022  
 Defense Attorney: Craig Webster Date Supervision Expires: Tolling

---

**PETITIONING THE COURT**

---

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 11/15/2022.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

8	<b><u>Mandatory Condition # 2:</u></b> The defendant shall not commit another Federal, state, or local crime.
---	---

**Supporting Evidence:** Mr. Mosney is considered to be in violation of his term of supervised release by committing the offense of count 2: fourth degree assault-DV-intimate partner, on or about November 6, 2022.

According to the Affidavit in Support of Probable Cause Statement for Franklin County case number 22-1-50575-11, on November 9, 2022, the victim made contact with the Connell Police Department and reported Mr. Mosney, who is her live-in boyfriend, assaulted her on November 6, 2022. The victim indicated Mr. Mosney punched and slapped the victim, hitting her multiple times in the head and face. Mr. Mosney also threw a phone at the victim, which struck her in the back of the head. The victim could not call the police because Mr. Mosney took her cell phone away from her and would not give it back. The victim attempted to leave the residence to get help and Mr. Mosney grabbed her and pushed her back onto a love seat. At that point, Mr. Mosney pinned her down on the couch. She reported she could not leave the residence because Mr. Mosney threatened he would beat her if she moved. The victim reported Mr. Mosney began hitting her again and the victim placed herself in a fetal

Prob12C

**Re: Mosney, David James Eric**

**October 15, 2024**

**Page 2**

position to protect herself. Mr. Mosney continued to hit her in the thigh and arm. Mr. Mosney then grabbed a partially filled bottle of whiskey and drank what was left in the bottle. He then hit her with the empty bottle. The victim reported Mr. Mosney hit her in the head, face, and nose with the empty whiskey bottle. The victim also reported Mr. Mosney, at one point, pulled out a small box knife and threatened to cut her. The victim was later examined at the hospital emergency room and the doctor confirmed she sustained a broken nose.

On March 20, 2024, Mr. Mosney was convicted in Franklin County Superior Court of count 2: fourth degree assault -DV-intimate partner, Franklin County Superior Court case number 22-1-50575-11.

- 9        **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** Mr. Mosney is considered to be in violation of his term of supervised release by committing the offense of count 1: tampering with a witness domestic violence (DV)-intimate partner, on or about November 14, 2022.

According to the fourth amended information document for Franklin County Superior Court for case number 22-1-50575-11, on or about November 14, 2022, Mr. Mosney attempted to induce Holly Davis to falsely testify about the assault mentioned above.

On March 20, 2024, Mr. Mosney was convicted in Franklin County Superior Court of count 1: tampering with a witness domestic violence (DV)-intimate partner.

- 10       **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** Mr. Mosney is considered to be in violation of his term of supervised release by committing the offense of count 3: violation of a no contact order-DV-intimate partner, on or about November 17, 2022.

According to the fourth amended information document for Franklin County Superior Court for case number 22-1-50575-11, on or about November 17, 2022, and again on or about December 2, 2022, Mr. Mosney, while in custody, contacted Holly Davis via telephone knowing a no contact order was previously issued protecting Ms. Davis.

On March 20, 2024, Mr. Mosney was convicted in Franklin County Superior Court of count 3: violation of a no contact order-DV-intimate partner.

- 11       **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** Mr. Mosney is considered to be in violation of his term of supervised release by committing the offense of count 4: violation of a no contact order-DV-intimate partner, on or about December 2, 2022.

Prob12C

**Re: Mosney, David James Eric**

**October 15, 2024**

**Page 3**

See narrative above, in violation #10.

On March 20, 2024, Mr. Mosney was convicted in Franklin County Superior Court of count 4: violation of a no contact order-DV-intimate partner.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 15, 2024

s/Elizabeth Lee

Elizabeth Lee  
U.S. Probation Officer

---

#### THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

October 17, 2024

Date